

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSEPH TAUBMAN,

Petitioner,

No. CIV S-03-2207 MCE KJM P

vs.

MICHAEL YARBOROUGH,

Respondent.

ORDER

Petitioner, a state prisoner proceeding pro se, has requested that this action be dismissed. On July 25, 2006 respondent was granted ten days in which to file any objection. Respondent has no objection to this dismissal. Accordingly, IT IS HEREBY ORDERED that this action is dismissed without prejudice. Fed. R. Civ. P. 41(a); see also Rule 11, Rules Governing Habeas Corpus Cases Under Section 2254.

DATED: September 22, 2006.


UNITED STATES MAGISTRATE JUDGE